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EXAMINER	
DANIEL JR, WILLIE J	

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/880,151	CANNON ET AL.	
	Examiner	Art Unit	
	WILLIE J. DANIEL JR	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 April 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,5-7,23,31,33-37 and 39-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,5-7,23,31,33-37 and 39-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to applicant's communication filed on 23 April 2009. **Claims 1, 5-7, 23, 31, 33-37, and 39-45** are now pending in the present application and claims **2-4, 8-22, 24-30, 32, and 38** are canceled. The finality of the rejection of the office action mailed 09 March 2009 is withdrawn, which is hereby replaced with this office action that is made **Non-Final**.

2. Brief Description of Received Signal Strength Indication (RSSI) and Distance

…Traditionally, DSPs in cordless telephones determine the received signal strength of the signals between the base and handset to determine whether to switch to a different communication channel for the RF link. Thus, those of skill in the art are familiar with this measure and are familiar with the fact that it provides an estimate of channel quality. Further, those of skill in the art are familiar with an axiom by which the **signal strength tends to be indirectly related to the distance** between the base unit and the handset. Thus, **signal strength** is a **good estimate** of this **distance**… (for above paragraph - see instant application, section detailed description, pg. 6, lines 5 et seq.).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 and 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Inagami** (**US 4,884,294**) in view of **Briffett et al**. (hereinafter Briffett) (**US 6,154,665**).

Regarding **claim 1**, Inagami discloses cordless telephone (see col. 3, lines 55-61; col. 1, lines 9-13; Figs. 2-4), comprising:

a base unit (5), including a push button switch (PAGE PBS) which reads on the claimed "paging mechanism" (see col. 3, lines 55-61; col. 4, lines 2-4; Figs. 2-4); and

a handset (1), including a discrimination sound generation circuit (combination of 20, 31, 32) which reads on the claimed "alerting mechanism" responsive to the paging mechanism (PAGE PBS) (see col. 3, lines 55-61; col. 4, lines 35-37; Figs. 3-4),

wherein the paging mechanism (PAGE PBS) and alerting mechanism (combination of 20, 31, 32) are for use in locating a missing handset (1) (see col. 5, line 65 - col. 6, line 3; col. 7, lines 1-4; Figs. 3-4), where the paging sound level is high for a user to hear the handset (1) in which for use in locating a missing handset is implicit as the user is able to hear the paging sound of the handset (1) from a distance as evidenced by the fact that one of ordinary skill in the art would clearly recognize, and

wherein at least one of the base unit (5) and the handset (1) includes a sound controller (20) which reads on the claimed "page adjusting mechanism" to affect a characteristic (e.g.,

sound level or sound pattern) of a page alerting signal output from the alerting mechanism (combination of 20, 31, 32) based on a condition (see col. 5, line 54 - col. 6, line 6; col. 7, lines 1-4,48-50), where the sound level is affected by conditions such as whether or not the user is talking into handset or holding handset, or based on distance between the user and the handset. Inagami does not specifically disclose having the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset. However, the examiner maintains that the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset was well known in the art, as taught by Briffett.

In the same field of endeavor, Briffett discloses the feature(s) wherein the condition is a measured quality (e.g., received signal strength) of a communication channel between the base unit (e.g., belt clip 20) and the handset (e.g., telephone 1) and the measured quality of the condition is related to a distance (e.g., proximity) between the base unit (e.g., 20) and the handset (e.g., 1) (see col. 7, lines 15-17,28-36; col. 2, lines 63-65; col. 3, lines 27-29; Figs. 1, 6, & 10), where the system provides a proximity signal that relates to the received signal strength and pitch of the locating alarm.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Inagami and Briffett to have the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a

distance between the base unit and the handset, in order to provide a radiotelephone with a proximity detector that is used for determining location when misplaced, as taught by Briffett (see col. 1, lines 5-12).

Regarding **claim 6**, Inagami discloses cordless telephone (see col. 3, lines 55-61; col. 1, lines 9-13; Figs. 2-4), comprising:

a base unit (5), including a push button switch (PAGE PBS) which reads on the claimed "paging mechanism" (see col. 3, lines 55-61; col. 4, lines 2-4; Figs. 2-4); and

a handset (1), including a discrimination sound generation circuit (combination of 20, 31, 32) which reads on the claimed "alerting mechanism" responsive to the paging mechanism (PAGE PBS) (see col. 3, lines 55-61; col. 4, lines 35-37; Figs. 3-4),

wherein the paging mechanism (PAGE PBS) and alerting mechanism (combination of 20, 31, 32) are for use in locating a missing handset (1) (see col. 5, line 65 - col. 6, line 3; col. 7, lines 1-4; Figs. 3-4), where the paging sound level is high for a user to hear the handset (1) in which for use in locating a missing handset is implicit as the user is able to hear the paging sound of the handset (1) from a distance as evidenced by the fact that one of ordinary skill in the art would clearly recognize, and

at least one of the base unit (5) and the handset (1) includes a sound controller (20) which reads on the claimed "page adjusting mechanism" to affect a characteristic (e.g., sound level or sound pattern) of a page alerting signal output from the alerting mechanism (combination of 20, 31, 32) based on a condition (see col. 5, line 54 - col. 6, line 6; col. 7, lines 1-4,48-50), where the sound level is affected by conditions such as whether or not the user is talking into handset or holding handset, or based on distance between the user and the handset, and

wherein the adjusting mechanism (20) affects the alerting signal to have a volume based on an estimate of the distance between the base unit (5) and the handset (1) (see col. 5, line 54 - col. 6, line 6; col. 7, lines 1-4), where the sound level is affected by conditions such as whether or not the user is talking into handset or holding handset, or based on distance between the user and the handset. Inagami does not specifically disclose having the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset. However, the examiner maintains that the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset was well known in the art, as taught by Briffett.

In the same field of endeavor, Briffett discloses the feature(s) wherein the condition is a measured quality (e.g., received signal strength) of a communication channel between the base unit (e.g., belt clip 20) and the handset (e.g., telephone 1) and the measured quality of the condition is related to a distance (e.g., proximity) between the base unit (e.g., 20) and the handset (e.g., 1) (see col. 7, lines 15-17,28-36; col. 2, lines 63-65; col. 3, lines 27-29; Figs. 1, 6, & 10), where the system provides a proximity signal that relates to the received signal strength and pitch of the locating alarm.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Inagami and Briffett to have the feature(s) wherein the condition is a measured quality of a communication channel between

the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset, in order to provide a radiotelephone with a proximity detector that is used for determining location when misplaced, as taught by Briffett (see col. 1, lines 5-12).

Regarding **claim 7**, Inagami discloses cordless telephone (see col. 3, lines 55-61; col. 1, lines 9-13; Figs. 2-4), comprising:

a base unit (5), including a push button switch (PAGE PBS) which reads on the claimed "paging mechanism" (see col. 3, lines 55-61; col. 4, lines 2-4; Figs. 2-4); and

a handset (1), including a discrimination sound generation circuit (combination of 20, 31, 32) which reads on the claimed "alerting mechanism" responsive to the paging mechanism (PAGE PBS) (see col. 3, lines 55-61; col. 4, lines 35-37; Figs. 3-4),

wherein the paging mechanism (PAGE PBS) and alerting mechanism (combination of 20, 31, 32) are for use in locating a missing handset (1) (see col. 5, line 65 - col. 6, line 3; col. 7, lines 1-4; Figs. 3-4), where the paging sound level is high for a user to hear the handset (1) in which for use in locating a missing handset is implicit as the user is able to hear the paging sound of the handset (1) from a distance as evidenced by the fact that one of ordinary skill in the art would clearly recognize, and

wherein at least one of the base unit (5) and the handset (1) includes a sound controller (20) which reads on the claimed "page adjusting mechanism" to affect a characteristic (e.g., sound level or sound pattern) of a page alerting signal output from the alerting mechanism (combination of 20, 31, 32) based on a condition (see col. 5, line 54 - col. 6, line 6; col. 7, lines 1-4,48-50), where the sound level is affected by conditions such as whether or not the

user is talking into handset or holding handset, or based on distance between the user and the handset, and

wherein the adjusting mechanism (20) affects the alerting signal to have a particular tonal quality (e.g., sound pattern) based on an estimate of the distance between the base unit (5) and the handset (1) (see col. 7, lines 1-4, 48-50; col. 5, line 54 - col. 6, line 6), where the sound generator can generate sound patterns and sound levels that are affected by conditions such as whether or not the user is talking into handset or holding handset, or based on distance between the user and the handset. Inagami does not specifically disclose having the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset. However, the examiner maintains that the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset was well known in the art, as taught by Briffett.

In the same field of endeavor, Briffett discloses the feature(s) wherein the condition is a measured quality (e.g., received signal strength) of a communication channel between the base unit (e.g., belt clip 20) and the handset (e.g., telephone 1) and the measured quality of the condition is related to a distance (e.g., proximity) between the base unit (e.g., 20) and the handset (e.g., 1) (see col. 7, lines 15-17,28-36; col. 2, lines 63-65; col. 3, lines 27-29; Figs. 1, 6, & 10), where the system provides a proximity signal that relates to the received signal strength and pitch of the locating alarm.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Inagami and Briffett to have the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset, in order to provide a radiotelephone with a proximity detector that is used for determining location when misplaced, as taught by Briffett (see col. 1, lines 5-12).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Inagami** (**US 4,884,294**) in view of **Briffett et al**. (hereinafter Briffett) (**US 6,154,665**) and **Tozawa et al**. (hereinafter Tozawa) (**US 5,198,800**).

Regarding **claim 5**, Inagami discloses cordless telephone (see col. 3, lines 55-61; col. 1, lines 9-13; Figs. 2-4), comprising:

a base unit (5), including a push button switch (PAGE PBS) which reads on the claimed "paging mechanism" (see col. 3, lines 55-61; col. 4, lines 2-4; Figs. 2-4); and

a handset (1), including a discrimination sound generation circuit (combination of 20, 31, 32) which reads on the claimed "alerting mechanism" responsive to the paging mechanism (PAGE PBS) (see col. 3, lines 55-61; col. 4, lines 35-37; Figs. 3-4),

wherein the paging mechanism (PAGE PBS) and alerting mechanism (combination of 20, 31, 32) are for use in locating a missing handset (1) (see col. 5, line 65 - col. 6, line 3; col. 7, lines 1-4; Figs. 3-4), where the paging sound level is high for a user to hear the handset (1) in which for use in locating a missing handset is implicit as the user is able to hear the paging

sound of the handset (1) from a distance as evidenced by the fact that one of ordinary skill in the art would clearly recognize, and

wherein at least one of the base unit (5) and the handset (1) includes a sound controller (20) which reads on the claimed "page adjusting mechanism" to affect a characteristic (e.g., sound level) of a page alerting signal output from the alerting mechanism (combination of 20, 31, 32) based on a condition (see col. 5, line 54 - col. 6, line 6; col. 7, lines 1-4), where the sound level is affected by conditions such as whether or not the user is talking into handset or holding handset, or based on distance between the user and the handset, and

wherein the adjusting mechanism (20) affects the alerting signal between the base unit (5) and the handset (1) (see col. 5, line 54 - col. 6, line 6; col. 7, lines 1-4), where the sound level is affected by conditions such as whether or not the user is talking into handset or holding handset, or based on distance between the user and the handset. Inagami does not specifically disclose having the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset; alerting signal to have a duration based on an estimate of the distance. However, the examiner maintains that the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset was well known in the art, as taught by Briffett.

In the same field of endeavor, Briffett discloses the feature(s) wherein the condition is a measured quality (e.g., received signal strength) of a communication channel between the

base unit (e.g., belt clip 20) and the handset (e.g., telephone 1) and the measured quality of the condition is related to a distance (e.g., proximity) between the base unit (e.g., 20) and the handset (e.g., 1) (see col. 7, lines 15-17,28-36; col. 2, lines 63-65; col. 3, lines 27-29; Figs. 1, 6, & 10), where the system provides a proximity signal that relates to the received signal strength and pitch of the locating alarm.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Inagami and Briffett to have the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset, in order to provide a radiotelephone with a proximity detector that is used for determining location when misplaced, as taught by Briffett (see col. 1, lines 5-12). The combination of Inagami and Briffett does not specifically disclose having the feature alerting signal to have a duration based on an estimate of the distance. However, the examiner maintains that the feature alerting signal to have a duration based on an estimate of the distance was well known in the art, as taught by Tozawa.

In the same field of endeavor, Tozawa discloses the feature alerting signal (e.g., alarm sound) to have a duration (e.g., time interval) based on an estimate of the distance (see col. 4, lines 29-36), where the transceivers have an alarm sound that is a short time interval for short distances and long time interval for long distances.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Inagami, Briffett, and Tozawa to have the feature alerting signal to have a duration based on an estimate of the distance, in order to

have an alarm sound that varies depending on position, as taught by Tozawa (see col. 4, line 21).

Claims 23 and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Inagami** (**US 4,884,294**) in view of **Briffett et al**. (hereinafter Briffett) (**US 6,154,665**) and **Dennerlein et al**. (hereinafter Dennerlein) (**US 5,117,504**).

Regarding **claim 23**, Inagami discloses a method of affecting an alerting signal of a telephone handset (1) (see col. 3, lines 55-61; col. 1, lines 9-13; Figs. 2-4), comprising the steps of:

sensing a condition related to a location of the handset (1) (see col. 5, line 54 - col. 6, line 6; col. 7, lines 1-4,48-50), where the sound level is affected by conditions such as whether or not the user is talking into handset or holding handset, or based on distance between the user and the handset; and

affecting a characteristic (e.g., sound level or sound pattern) of the alerting signal based on the sensed condition (see col. 5, line 54 - col. 6, line 6; col. 7, lines 1-50), where the sound level is affected by conditions such as whether or not the user is talking into handset or holding handset, or based on distance between the user and the handset. Inagami does not specifically disclose having the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset; wherein the sensed condition is a signal delay measurement. However, the examiner maintains that the feature(s) wherein the condition is a measured quality of a communication channel between

the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset was well known in the art, as taught by Briffett.

In the same field of endeavor, Briffett discloses the feature(s) wherein the condition is a measured quality (e.g., received signal strength) of a communication channel between the base unit (e.g., belt clip 20) and the handset (e.g., telephone 1) and the measured quality of the condition is related to a distance (e.g., proximity) between the base unit (e.g., 20) and the handset (e.g., 1) (see col. 7, lines 15-17,28-36; col. 2, lines 63-65; col. 3, lines 27-29; Figs. 1, 6, & 10), where the system provides a proximity signal that relates to the received signal strength and pitch of the locating alarm.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Inagami and Briffett to have the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset, in order to provide a radiotelephone with a proximity detector that is used for determining location when misplaced, as taught by Briffett (see col. 1, lines 5-12). The combination of Inagami and Briffett does not specifically disclose having the feature wherein the sensed condition is a signal delay measurement. However, the examiner maintains that the feature wherein the sensed condition is a signal delay measurement was well known in the art, as taught by Dennerlein.

In the same field of endeavor, Dennerlein discloses the feature wherein the sensed condition is a signal delay measurement (see col. 1, lines 20-33), where the distance is

computed between the stationary radio station (e.g., base unit) and the mobile radio telephone set.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Inagami, Briffett, and Dennerlein to have the feature wherein the sensed condition is a signal delay measurement, in order to compute the distance from the signal delay, as taught by Dennerlein (see col. 1, lines 31-35).

Regarding **claim 39**, the combination of Inagami and Briffett discloses every limitation claimed as applied above in claim 23. The combination of Inagami and Briffett does not specifically disclose having the feature wherein the condition is a delay measurement related to a signal from a wireless transceiver. However, the examiner maintains that the feature wherein the condition is a delay measurement related to a signal from a wireless transceiver was well known in the art, as taught by Dennerlein.

Dennerlein further discloses the feature wherein the condition is a delay measurement related to a signal from a mobile radio telephone set which reads on the claimed "wireless transceiver" (see col. 1, lines 20-33,57-59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Inagami, Briffett, and Dennerlein to have the feature wherein the condition is a delay measurement related to a signal from a wireless transceiver, in order to compute the distance from the signal delay, as taught by Dennerlein (see col. 1, lines 31-35).

Regarding **claim 40**, the combination of Inagami, Briffett, and Dennerlein discloses every limitation claimed, as applied above (see claim 39), in addition Inagami further

discloses a method as recited in claim 39, wherein the wireless transceiver is part of a base unit (5) associated with the handset (1) (see Figs. 2-4).

Regarding **claim 41**, the combination of Inagami, Briffett, and Dennerlein discloses every limitation claimed, as applied above (see claim 39), in addition Inagami further discloses a method as recited in claim 40, wherein the base unit (5) is a cordless telephone base unit (see col. 3, lines 55-61; Figs. 2-4).

Claims 31 and 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ohayon** (**US 5,952,918**) in view of **Briffett et al**. (hereinafter Briffett) (**US 6,154,665**).

Regarding **claim 31**, Ohayon discloses a method of affecting an alerting signal (e.g., recovery signal) of a telephone handset (18, 20) (see col. 2, lines 22-36; Fig. 4C), comprising the steps of:

paging the telephone handset (18, 20) via the alerting signal (e.g., recovery signal) (see col. 2, lines 22-36; Fig. 4C);

sensing a condition related to a location of the handset (18, 20) (see col. 2, lines 22-36; col. 2, line 62 - col. 3, line 4; col. 3, lines 5-30; Fig. 4C), where conditions are such as darkened room or low light environment; and

affecting a characteristic of the alerting signal (e.g., recovery signal) based on the sensed condition (see col. 2, line 62 - col. 3, line 4; col. 3, lines 5-30),

wherein the location is sensed relative to a corresponding base unit (17, 19) (see col. 2, lines 22-36,44-48; Fig. 4C). As a note, Ohayon further discloses having sound signals such as beeping, buzzing, and/or musical sounds (see col. 2, lines 62-64). Ohayon does not

specifically disclose having the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset. However, the examiner maintains that the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset was well known in the art, as taught by Briffett.

In the same field of endeavor, Briffett discloses the feature(s) wherein the condition is a measured quality (e.g., received signal strength) of a communication channel between the base unit (e.g., belt clip 20) and the handset (e.g., telephone 1) and the measured quality of the condition is related to a distance (e.g., proximity) between the base unit (e.g., 20) and the handset (e.g., 1) (see col. 7, lines 15-17,28-36; col. 2, lines 63-65; col. 3, lines 27-29; Figs. 1, 6, & 10), where the system provides a proximity signal that relates to the received signal strength and pitch of the locating alarm.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ohayon and Briffett to have the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset, in order to provide a radiotelephone with a proximity detector that is used for determining location when misplaced, as taught by Briffett (see col. 1, lines 5-12).

Regarding **claim 34**, Ohayon discloses a method of affecting an alerting signal (e.g., recovery signal) of a telephone handset (18, 20) (see col. 2, lines 22-36; Fig. 4C), comprising the steps of:

paging the telephone handset (18, 20) via the alerting signal (e.g., recovery signal) (see col. 2, lines 22-36; Fig. 4C);

sensing a condition related to a location of the handset (18, 20) (see col. 2, lines 22-36; col. 2, line 62 - col. 3, line 4; col. 3, lines 5-30; Fig. 4C), where conditions are such as darkened room, low light environment, stress, or emergency; and

affecting a characteristic of the alerting signal (e.g., recovery signal) based on the sensed condition (see col. 2, line 62 - col. 3, line 4; col. 3, lines 5-30). As a note, Ohayon further discloses having sound signals such as beeping, buzzing, and/or musical sounds (see col. 2, lines 62-64). Ohayon does not specifically disclose having the feature(s) wherein the condition is a received signal strength indication, and wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset. However, the examiner maintains that the feature(s) wherein the condition is a received signal strength indication, and wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset was well known in the art, as taught by Briffett.

In the same field of endeavor, Briffett discloses the feature(s) wherein the condition is a received signal strength indication (see col. 4, lines 12-15; col. 7, lines 15-17,28-36), and

wherein the condition is a measured quality (e.g., received signal strength) of a communication channel between the base unit (e.g., belt clip 20) and the handset (e.g., telephone 1) and the measured quality of the condition is related to a distance (e.g., proximity) between the base unit (e.g., 20) and the handset (e.g., 1) (see col. 7, lines 15-17,28-36; col. 2, lines 63-65; col. 3, lines 27-29; Figs. 1, 6, & 10), where the system provides a proximity signal that relates to the received signal strength and pitch of the locating alarm.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ohayon and Briffett to have the feature(s) wherein the condition is a received signal strength indication, and wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset, in order to provide a radiotelephone with a proximity detector that is used for determining location when misplaced, as taught by Briffett (see col. 1, lines 5-12).

Regarding **claim 35**, Ohayon discloses every limitation claimed as applied above in claim 34. Ohayon does not specifically disclose having the feature(s) wherein the condition is a received signal strength indication from a wireless transceiver. However, the examiner maintains that the feature(s) wherein the condition is a received signal strength indication from a wireless transceiver was well known in the art, as taught by Briffett.

Briffett further discloses the feature(s) wherein the condition is a received signal strength indication from a wireless transceiver (see col. 4, lines 12-15; col. 7, lines 15-17,28-36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ohayon and Briffett to have the feature(s) wherein the condition is a received signal strength indication from a wireless transceiver, in order to provide a radiotelephone with a proximity detector that is used for determining location when misplaced, as taught by Briffett (see col. 1, lines 5-12).

Regarding **claim 36**, the combination of Ohayon and Briffett discloses every limitation claimed, as applied above (see claim 39), in addition Ohayon further discloses a method as recited in claim 35, wherein the wireless transceiver is part of a base unit (17, 19) associated with the handset (18, 20) (see col. 2, lines 22-47; Fig. 4C).

Regarding **claim 37**, the combination of Ohayon and Briffett discloses every limitation claimed, as applied above (see claim 39), in addition Ohayon further discloses a method as recited in claim 36, wherein the base unit (17, 19) is a cordless telephone base unit (see col. 2, lines 22-47; Fig. 4C).

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Ohayon** (**US 5,952,918**) in view of **Briffett et al**. (hereinafter Briffett) (**US 6,154,665**) and **Benvenuti** (**US 6,166,652**).

Regarding **claim 33**, Ohayon discloses a method of affecting an alerting signal (e.g., recovery signal) of a telephone handset (18, 20) (see col. 2, lines 22-36; Fig. 4C), comprising the steps of:

paging the telephone handset (18, 20) via the alerting signal (e.g., recovery signal) (see col. 2, lines 22-36; Fig. 4C);

sensing a condition related to a location of the handset (18, 20) (see col. 2, lines 22-36; col. 2, line 62 - col. 3, line 4; col. 3, lines 5-30; Fig. 4C), where conditions are such as darkened room, low light environment, stress, or emergency; and

affecting a characteristic of the alerting signal (e.g., recovery signal) based on the sensed condition (see col. 2, line 62 - col. 3, line 4; col. 3, lines 5-30). As a note, Ohayon further discloses having sound signals such as beeping, buzzing, and/or musical sounds (see col. 2, lines 62-64). Ohayon does not specifically disclose having the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset. However, the examiner maintains that the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset was well known in the art, as taught by Briffett.

In the same field of endeavor, Briffett discloses the feature(s) wherein the condition is a measured quality (e.g., received signal strength) of a communication channel between the base unit (e.g., belt clip 20) and the handset (e.g., telephone 1) and the measured quality of the condition is related to a distance (e.g., proximity) between the base unit (e.g., 20) and the handset (e.g., 1) (see col. 7, lines 15-17,28-36; col. 2, lines 63-65; col. 3, lines 27-29; Figs. 1, 6, & 10), where the system provides a proximity signal that relates to the received signal strength and pitch of the locating alarm.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ohayon and Briffett to have the

feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset, in order to provide a radiotelephone with a proximity detector that is used for determining location when misplaced, as taught by Briffett (see col. 1, lines 5-12). The combination of Ohayon and Briffett does not specifically disclose having the feature wherein the characteristic is one of duration and tonal quality. However, the examiner maintains that the feature wherein the characteristic is one of duration and tonal quality was well known in the art, as taught by Benvenuti.

In the same field of endeavor, Benvenuti discloses the feature wherein the characteristic is one of duration and tonal quality (see col. 3, lines 35-41,49-53).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ohayon, Briffett, and Benvenuti to have the feature wherein the characteristic is one of duration and tonal quality, in order to have a system and method for locating misplaced items with large activation range, distinct activation signal, and effective differentiation between signals, as taught by Benvenuti (see col. 1, lines 29-34).

Claims 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Inagami** (**US 4,884,294**) in view of **Briffett et al**. (hereinafter Briffett) (**US 6,154,665**) and **Alvarez et al**. (hereinafter Alvarez) (**US 5,805,667**).

Regarding **claim 42**, Inagami discloses a method of affecting an alerting signal of a telephone handset (1) (see col. 3, lines 55-61; col. 1, lines 9-13; Figs. 2-4), comprising the steps of:

paging the telephone handset (1) via the alerting signal (see col. 4, lines 2-4);

sensing a condition related to a location of the handset (1) (see col. 5, line 54 - col. 6, line 6; col. 7, lines 1-4,48-50), where the sound level is affected by conditions such as whether or not the user is talking into handset or holding handset, or based on distance between the user and the handset; and

affecting a characteristic (e.g., sound level or sound pattern) of the alerting signal based on the sensed condition (see col. 5, line 54 - col. 6, line 6; col. 7, lines 1-50), where the sound level is affected by conditions such as whether or not the user is talking into handset or holding handset, or based on distance between the user and the handset. Inagami does not specifically disclose having the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset; wherein the condition is an error related measurement. However, the examiner maintains that the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset was well known in the art, as taught by Briffett.

In the same field of endeavor, Briffett discloses the feature(s) wherein the condition is a measured quality (e.g., received signal strength) of a communication channel between the base unit (e.g., belt clip 20) and the handset (e.g., telephone 1) and the measured quality of the condition is related to a distance (e.g., proximity) between the base unit (e.g., 20) and the handset (e.g., 1) (see col. 7, lines 15-17,28-36; col. 2, lines 63-65; col. 3, lines 27-29; Figs. 1,

6, & 10), where the system provides a proximity signal that relates to the received signal strength and pitch of the locating alarm.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Inagami and Briffett to have the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset, in order to provide a radiotelephone with a proximity detector that is used for determining location when misplaced, as taught by Briffett (see col. 1, lines 5-12). The combination of Inagami and Briffett does not specifically disclose having the feature wherein the condition is an error related measurement. However, the examiner maintains that the feature wherein the condition is an error related measurement was well known in the art, as taught by Alvarez.

In the same field of endeavor, Alvarez discloses the feature wherein the condition is an error related measurement (see col. 3, lines 1-15, 51-55; col. 6, lines 15-38; col. 6, line 65 - col. 7, line 13; Figs. 2-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Inagami, Briffett, and Alvarez to have the feature wherein the condition is an error related measurement, in order to have a distance-simulator that simulates the effects of physically separating first and second portions of a cordless communication device, as taught by Alvarez (see col. 2, lines 35-39).

Regarding **claim 43**, the combination of Inagami and Briffett discloses every limitation claimed as applied above in claim 42. The combination of Inagami and Briffett

does not specifically disclose having the feature wherein the condition is an error related measurement related to a signal from a wireless transceiver. However, the examiner maintains that the feature wherein the condition is an error related measurement related to a signal from a wireless transceiver was well known in the art, as taught by Alvarez.

Alvarez further discloses the feature wherein the condition is an error related measurement related to a signal from a mobile radio telephone set which reads on the claimed "wireless transceiver" (see col. 3, lines 1-15, 51-55; col. 6, lines 15-38; col. 6, line 65 - col. 7, line 13; Figs. 2-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Inagami, Briffett, and Alvarez to have the feature wherein the condition is an error related measurement related to a signal from a wireless transceiver, in order to have a distance-simulator that simulates the effects of physically separating first and second portions of a cordless communication device, as taught by Alvarez (see col. 2, lines 35-39).

Regarding **claim 44**, the combination of Inagami, Briffett, and Alvarez discloses every limitation claimed, as applied above (see claim 43), in addition Inagami further discloses a method as recited in claim 39, wherein the wireless transceiver is part of a base unit (5) associated with the handset (1) (see Figs. 2-4).

Regarding **claim 45**, the combination of Inagami, Briffett, and Alvarez discloses every limitation claimed, as applied above (see claim 44), in addition Inagami further discloses a method as recited in claim 40, wherein the base unit (5) is a cordless telephone base unit (see col. 3, lines 55-61; Figs. 2-4).

Claims 31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ohayon** (**US 5,952,918**) in view of **Hardouin** (**EP 0876040 A1**).

Regarding **claim 31**, Ohayon discloses a method of affecting an alerting signal (e.g., recovery signal) of a telephone handset (18, 20) (see col. 2, lines 22-36; Fig. 4C), comprising the steps of:

paging the telephone handset (18, 20) via the alerting signal (e.g., recovery signal) (see col. 2, lines 22-36; Fig. 4C);

sensing a condition related to a location of the handset (18, 20) (see col. 2, lines 22-36; col. 2, line 62 - col. 3, line 4; col. 3, lines 5-30; Fig. 4C), where conditions are such as darkened room or low light environment; and

affecting a characteristic of the alerting signal (e.g., recovery signal) based on the sensed condition (see col. 2, line 62 - col. 3, line 4; col. 3, lines 5-30),

wherein the location is sensed relative to a corresponding base unit (17, 19) (see col. 2, lines 22-36,44-48; Fig. 4C). As a note, Ohayon further discloses having sound signals such as beeping, buzzing, and/or musical sounds (see col. 2, lines 62-64). Ohayon does not specifically disclose having the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset. However, the examiner maintains that the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset was well known in the art, as taught by Hardouin.

In the same field of endeavor, Hardouin discloses the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset (see col. 3, lines 22-44), where the ringer and audio volumes are adjusted according to signal strength in which the distance would be implicit as evidenced by the fact that one of ordinary skill in the art would clearly recognize.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ohayon and Hardouin to have the feature(s) wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset, in order to automatically adjust the ringer and voice volumes, as taught by Hardouin (see col. 1, lines 29-34).

Regarding **claim 34**, Ohayon discloses a method of affecting an alerting signal (e.g., recovery signal) of a telephone handset (18, 20) (see col. 2, lines 22-36; Fig. 4C), comprising the steps of:

paging the telephone handset (18, 20) via the alerting signal (e.g., recovery signal) (see col. 2, lines 22-36; Fig. 4C);

sensing a condition related to a location of the handset (18, 20) (see col. 2, lines 22-36; col. 2, line 62 - col. 3, line 4; col. 3, lines 5-30; Fig. 4C), where conditions are such as darkened room, low light environment, stress, or emergency; and

affecting a characteristic of the alerting signal (e.g., recovery signal) based on the sensed condition (see col. 2, line 62 - col. 3, line 4; col. 3, lines 5-30). As a note, Ohayon further

discloses having sound signals such as beeping, buzzing, and/or musical sounds (see col. 2, lines 62-64). Ohayon does not specifically disclose having the feature(s) wherein the condition is a received signal strength indication, and wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset. However, the examiner maintains that the feature(s) wherein the condition is a received signal strength indication, and wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset was well known in the art, as taught by Hardouin.

Hardouin further discloses the feature(s) wherein the condition is a received signal strength indication (see col. 3, lines 22-44), where the ringer and audio volumes are adjusted according to signal strength, and

wherein the condition is a measured quality of a communication channel between the base unit and the handset and the measured quality of the condition is related to a distance between the base unit and the handset (see col. 3, lines 22-44), where the ringer and audio volumes are adjusted according to signal strength in which the distance would be implicit as evidenced by the fact that one of ordinary skill in the art would clearly recognize.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ohayon and Hardouin to have the feature(s) wherein the condition is a received signal strength indication, and wherein the condition is a measured quality of a communication channel between the base unit and the

handset and the measured quality of the condition is related to a distance between the base unit and the handset, in order to automatically adjust the ringer and voice volumes, as taught by Hardouin (see col. 1, lines 29-34).

Response to Arguments

4. Applicant's arguments with respect to claims 1, 5-7, 23, 31, 33-37, and 39-45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

   a. Ritter (US 6,363,265 B1) discloses a volume control for an alert generator.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIE J. DANIEL JR whose telephone number is (571)272-7907. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WJD,Jr/

WJD,Jr
03 September 2009

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617